

Assembly Bill No. 2686

Passed the Assembly June 24, 1996

Chief Clerk of the Assembly

Passed the Senate June 17, 1996

Secretary of the Senate

This bill was received by the Governor this ____ day
of _____, 1996, at ____ o'clock __M.

Private Secretary of the Governor

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CHAPTER ____

An act to amend and repeal Section 603.5 of the Welfare and Institutions Code, relating to minors.

LEGISLATIVE COUNSEL'S DIGEST

AB 2686, Kaloogian. Minors: juvenile court jurisdiction.

Existing law specifies the jurisdiction of the juvenile court over minors on the basis of criminal conduct. Existing law provides, however, that in counties that so provide, the municipal court has jurisdiction over minors who are alleged to have committed only a Vehicle Code infraction or a violation of a local ordinance relating to specified motor vehicle offenses.

Under existing law, in counties that had not adopted and implemented this provision prior to August 15, 1993, the municipal court is required to use the procedures set forth in the juvenile court law in hearing cases involving minors who are at least 16 years of age and who are alleged to have committed certain of these Vehicle Code infractions. In counties that had adopted and implemented this provision prior to August 15, 1993, the municipal court is permitted to use the procedures established by the Vehicle Code. These provisions are operative until January 1, 1998, at which time the provision requiring the municipal court to use the procedures set forth in the juvenile court law would apply.

This bill would delete the provisions described above pertaining to the use of procedures. The bill instead would provide that the cases described above for which the municipal court has jurisdiction shall not be governed by the procedures set forth in the juvenile court law. The bill would provide that specified procedures for bail shall apply to these cases. The bill would authorize a county to adopt these provisions in a trial court coordination plan and would make related changes.



The people of the State of California do enact as follows:

SECTION 1. Section 603.5 of the Welfare and Institutions Code, as amended by Section 1 of Chapter 478 of the Statutes of 1994, is amended to read:

603.5. (a) Notwithstanding any other provision of law, in counties which adopt the provisions of this section, jurisdiction over the case of a minor alleged to have committed only a violation of the Vehicle Code classified as an infraction or a violation of a local ordinance involving the driving, parking, or operation of a motor vehicle, is with the municipal court, except that the municipal court may refer to the juvenile court for adjudication, cases involving a minor who has been adjudicated a ward of the juvenile court, or who has other matters pending in the juvenile court.

(b) The cases specified in subdivision (a) shall not be governed by the procedures set forth in the juvenile court law.

(c) Any provisions of juvenile court law requiring that confidentiality be observed as to cases and proceedings, prohibiting or restricting the disclosure of juvenile court records, or restricting attendance by the public at juvenile court proceedings shall not apply. The procedures for bail specified in Chapter 1 (commencing with Section 1268) of Title 10 of Part 2 of the Penal Code shall apply.

(d) The provisions of this section shall apply in a county in which the board of supervisors, with the concurrence of the presiding judges of the superior, juvenile, and municipal courts, adopts a resolution making the section applicable in the county as to any matters to be heard by the municipal court pursuant to this section, or in which a trial court coordination plan has been approved by the Judicial Council pursuant to Section 68112 of the Government Code that provides for the coordination of matters pursuant to this section.

SEC. 2. Section 603.5 of the Welfare and Institutions Code, as added by Section 2 of Chapter 478 of the Statutes of 1994, is repealed.



Approved _____, 1996

Governor

